

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,
Plaintiff,
v.
JAQUAN KEON JACKSON,
Defendant.

Case No. CR22-037-RSL

ORDER GRANTING
UNOPPOSED MOTION TO
CONTINUE TRIAL AND
PRETRIAL MOTIONS DUE
DATE

This matter comes before the Court on defendant Jaquan Jackson’s “Unopposed Motion to Continue Trial and Pretrial Motions Deadline” (Dkt. # 37). Having considered the facts set forth in the motion, and defendant’s knowing and voluntary waiver (Dkt. # 38), the Court finds as follows:

1. The Court adopts the facts set forth in the unopposed motion: in particular, that defendant contracted COVID-19 while in pretrial custody, the facility in which defendant is detained has been locked down for an extended period due to a COVID-19 outbreak, defendant has therefore been unable to reliably communicate with his counsel or his community, and defendant does not feel comfortable proceeding without additional time to consult with counsel. The Court accordingly finds that a failure to grant a continuance would deny counsel, and any potential future counsel, the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, within the meaning of 18 U.S.C. § 3161(h)(7)(B)(iv).

2. The Court finds that a failure to grant a continuance would likely result in a miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i).

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1 3. The Court finds that the additional time requested between the current trial date of
2 August 8, 2022, and the proposed trial date of October 31, 2022, is a reasonable period of delay.
3 The Court finds that this additional time is necessary to provide defense counsel reasonable time
4 to prepare for trial, as defendant has requested more time to prepare for trial, to continue to
5 investigate the matter, to gather evidence material to the defense, and to consider possible
6 defenses. The additional time requested between the current trial date and the new trial date is
7 necessary to provide counsel for the defendant the reasonable time necessary to prepare for trial,
8 considering all of the facts set forth above.

9 4. The Court further finds that this continuance would serve the ends of justice, and
10 that these factors outweigh the best interests of the public and defendant in a speedier trial,
11 within the meaning of 18 U.S.C. § 3161(h)(7)(A).

12 5. Defendant has provided a waiver indicating that he has been advised of his right to
13 a speedy trial and that, after consulting with counsel, he has knowingly and voluntarily waived
14 that right and consented to the continuation of his trial to a date up to and including November
15 15, 2022, Dkt. # 38, which will permit his trial to start on October 31, 2022.

16 IT IS HEREBY ORDERED that the trial date shall be continued from August 8, 2022
17 to October 31, 2022, and pretrial motions are to be filed no later than September 30, 2022;

18 IT IS FURTHER ORDERED that the period of time from the current trial date of August
19 8, 2022, up to and including the new trial date, shall be excludable time pursuant to the Speedy
20 Trial Act, 18 U.S.C. § 3161, *et seq.* The period of delay attributable to this filing and granting
21 of this motion is excluded for speedy trial purposes pursuant to 18 U.S.C. §§ 3161(h)(1)(D),
22 (h)(7)(A), and (h)(7)(B).

23 DATED this 22nd day of July, 2022.

Mr S Lasnik
Robert S. Lasnik
United States District Judge

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